

PTO/SS/64 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
IN-5113**RECEIVED****APR 20 2005****OFFICE OF PETITIONS****RECEIVED
CENTRAL FAX CENTER****APR 18 2005**

#12

First named inventor: Walter H. OHRBOM, et al.

Application No.: 09/998,365

Art Unit: 1626

Filed: November 29, 2001

Examiner: ASINOVSKY, OLGA N

Title: METHOD FOR SELECTIVE GRAFT POLYMERIZATION

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1500. (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of a 37 CFR 1.111 Amendment (identify type of reply):

- ☐ has been filed previously on _____
- ☒ is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____
- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (09-04)

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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.Anne G. Sabourin
Signature4-15-05
DateAnne Gerry Sabourin
Typed or printed name33,772
Registration Number, if applicableBASF Corporation, 26701 Telegraph Road
Address(248) 948-2019
Telephone NumberSouthfield, Michigan 48034-2442
AddressEnclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (703) 872-9306.4-18-05
DateM. J. Egan
Signature_____
Typed or printed name of person signing certificate

[Page 2 of 2]

PATENT
(Docket No. IN-5113)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 18 2005

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APR 20 2005

OFFICE OF PETITIONS

In re Application of
Walter H. Ohrbom
Patricia Herrel
John Rehfuss

Serial No.: 09/998,365

Filed: 11/29/01

For: Method for Selective Graft
Polymerization

Group Art Unit: 1626

Examiner: O. Asinovsky

I hereby certify that the attached correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. BOX 1450, Alexandria, Virginia 22313-1450, on April 18, 2005 via transmission to facsimile number (703)-872-9306.


Marjorie Ellis

PETITION REVIVE UNINTENTIONALLY ABANDONED APPLICATION

Commissioner for Patents
Mail Stop- Petition
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Notice of Abandonment mailed December 18, 2003.

Applicants submit the following petition to revive the application which was unintentionally abandoned. Applicants received a Notice of Abandonment stating that no response was filed to the office action dated April 4, 2003. Applicants submit that a response was filed to the office action on June 26, 2003 via facsimile. Applicants attach copies of the response, which includes the response, a certificate of transmittal of the fax on June 26, 2003, conditional petition for extension of time and a BASF internal confirmation of receipt of the fax by the Patent Office. However, no receipt was obtained from the U.S. Patent Office.

Applicants subsequently filed a Request for Reconsideration of the Holding of Abandonment in January 2004. A copy of the request and the U.S. Patent Office Receipt is attached. In May of 2004 an Information Disclosure Statement was filed by Applicants and Applicants received a postcard showing the Patent Office stamp of receipt.

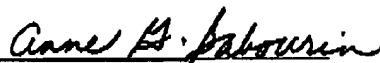
To date Applicants have received no Notice of Abandonment. However, upon examination of the file on April 15, 2005, Applicants' attorney took notice that no reply had been received from the USPTO to the Request for Reconsideration and searched the USPTO PAIR for status information. PAIR indicated that the application had been abandoned.

Applicants submit that the entire delay in filing the required reply from the due date for the reply until the filing of this Petition pursuant to 37 CFR 1.137(b) was unintentional and that this is supported by the facts described above.

Accordingly, Applicants are filing the instant petition to revive the unintentionally abandoned case together with the response to the outstanding office and the required petition fee.

Revival and continued prosecution of the application is respectfully requested.

Respectfully submitted,


Anne G. Sabourin
Reg. No. 33,772
Patent Attorney
(248) 948-2021

April 18, 2005
BASF Corporation
26701 Telegraph Road
Southfield, MI 48034-2442

PATENT
(Docket No. IN-5113)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 18 2005

In re Application of
Walter H. Ohrbom
Patricia Herrel
John Rehfuß

Serial No.: 09/998,365

Filed: 11/29/01

For: Method for Selective Graft
Polymerization

Group Art Unit: 1626

Examiner: O. Asinovsky

I hereby certify that the attached correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. BOX 1450, Alexandria, Virginia 22313-1450, on Jan 8, 2003 via transmission to facsimile number (703)-872-9306.


Marjorie Ellis

PETITION FOR RECONSIDERATION OF HOLDING OF ABANDONMENT

RECEIVED

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

APR 20 2005

OFFICE OF PETITIONS

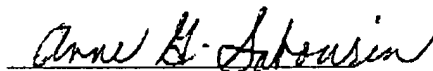
Sir:

This is in response to the Notice of Abandonment mailed December 18, 2003.

Applicants submit the following petition for reconsideration of the holding of abandonment. Applicants received a Notice of Abandonment stating that no response was filed to the office action dated April 4, 2003. Applicants submit that a response was filed to the office action on June 26, 2003 via facsimile. Applicants attach copies of the response, which includes the response, a certificate of transmittal of the fax on June 26, 2003, conditional petition for extension of time and the confirmation of receipt of the fax. Applicants subsequently noted that the fax number to which the response was inadvertently sent was the fax number of the examiner and assume that receipt of the response was therefore not documented.

In view of Applicants submission of a timely filed response and indicia of receipt by the US Patent Office on June 26, 3003, Applicants respectfully request reconsideration and withdrawal of the holding of abandonment for the above referenced case.

Respectfully submitted,



Anne G. Sabourin
Reg. No. 33,772
Patent Attorney
(248) 948-2021

January 22, 2004
BASF Corporation
26701 Telegraph Road
Southfield, MI 48034-2442